IN THE HIGH COURT OF JUDICATURE AT BOBBY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 708 OF 2005
IN
APPEAL FROM ORDER STAMP NO.12474 OF 2005

1. Madan Singh Bharara & anr. Appellants

Vs.

1. Dr. Firoze Dara Mirza and anr. Respondents

Mr. Swapnil Bagul i/b Meghraj and Associates for appellants.
Mr. R.H. Mehta for Respondents.

CORAM: **B.H. MARLAPALLE,J.**

DATED: **JUNE 7, 2005**

P.C.:

. The learned counsel for the respondents states that the Notice of Motion No.4338 of 2004 has already been heard substantially and the final order is awaited.

. Under these circumstances, the impugned order in A.O. under Stamp No.12474 of 2005 will not be pressed for implementation by the respondents. Under these circumstances, this civil application as well as A.O. under Stamp No.12474 of 2005 need not be entertained and the same shall stand disposed of.

. Needless to mention, the Notice of Motion No.4338 of 2004 shall be heard on its own merits and

without being influenced by any of the observations made in the ad-interim order which is the subject matter of challenge before this court and the trial court would make an endeavour to dispose of the said Notice of Motion by 31st July 2005, more so because both the parties have given a solemn undertaking before this court that they will not seek any adjournment for disposal of the said Notice of Motion.

(B.H. Marlapalle,J.)